

BEFORE THE ADMINISTRATOR OF CONSUMER CREDIT
STATE OF OKLAHOMA

FILED

NOV 29 2017

STATE OF OKLAHOMA
DEPARTMENT OF
CONSUMER CREDIT

STATE OF OKLAHOMA ex rel.)
DEPARTMENT OF CONSUMER CREDIT,))
)
Petitioner)
)
v.)
)
BADGER VALLEY ENTERPRISES,)
L.L.C, D/B/A SETH WADLEY AUTO)
GROUP,)
)
Respondent)

Case No. 17-0322-DIS

CONSENT ORDER

Petitioner, State of Oklahoma ex rel. Department of Consumer Credit ("Petitioner") and Respondent, Badger Valley Enterprises, L.L.C., d/b/a Seth Wadley Auto Group, ("Respondent") voluntarily enter into this Consent Order as an informal disposition of this individual proceeding to avoid litigation. Respondent agrees to waive its right to a hearing under the Oklahoma Administrative Procedures Act and both parties agree as follows:

(1) Petitioner restates and incorporates by reference the allegations made by Petitioner in the Notice of Hearing filed in this matter.

- a. Respondent is a domestic limited liability company under the State of Oklahoma, Oklahoma Secretary of State filing number 3512244295, active filing status.
- b. Respondent transacts business at 200 Ballard Road, Pauls Valley, OK 73075.
- c. On July 12, 2017, Jimmie Ray and Michael Thompson, consumer credit examiners, entered Respondent's business premises and spoke to Montana Bills, Business Manager.
- d. The examiners asked Mr. Bills about consumer auto financing options offered to consumers when they purchase vehicles at the dealership. Mr. Bills advised

Respondent does offer finance and cash options to purchase automobiles. Mr. Bills advised Respondent utilizes First Fidelity Bank, Ally Bank and TD Auto Financing as some of the lenders used for financing options. Upon request, the examiners viewed the retail installment contracts and asked if they could take a photo copy of the retail installment contracts. A search of Respondent's website shows consumers can complete financing applications online.

- e. The copy of the Retail Installment Sale Contract for J. McClellan lists the purchase of a 2013 Chevrolet C-1500. The Seller is listed as Seth Wadley Auto Group with the business address listed as P.O. Box 650, Pauls Valley, OK 73075. The terms of the contract are 84 monthly payments in the amount of \$542.64 with the first payment due on August 24, 2017. Total purchase price of the vehicle is \$45,581.76. The interest rate is listed as 3.74%.
- f. Respondent is not a supervised financial organization or a person holding a license to make supervised loans issued under 14A O.S. § 3-501 et seq.
- g. As of November 9, 2017, Respondent is licensed in the State of Oklahoma pursuant to the provisions of 14A O.S. §§ 6-201 through 6-203 of the UCCC. The notification filing license application was received on November 3, 2017.
- h. Respondent did not file notification pursuant to the provisions of Section 6-202 of the UCCC, on or before January 31, 2017.

(2) C. Craig Cole of C. Craig Cole & Associates has entered his appearance as attorney of record for Respondent.

(3) Counsel for Respondent accepted service of Notice and Order of Hearing on behalf of Respondent.

(4) Respondent hereby waives any and all potential claims of deficiency of notice and/or hearing requirements under the Oklahoma Administrative Procedures Act.

(5) Respondent does not admit to the allegations made by the Petitioner in the Notice of Hearing filed in this matter,

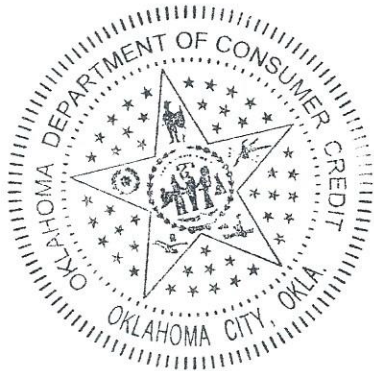
and incorporated by reference in this Consent Order.

(6) Respondent agrees to pay a \$400.00 civil penalty, payable to the Oklahoma Department of Consumer Credit, on or before December 8, 2017.

(7) The payment shall be made payable by check or money order to the Oklahoma Department of Consumer Credit, shall indicate the payment is for Case Number 17-0322-DIS and shall be addressed to the attention of John T. Coyne, Chief Enforcement Attorney, Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112.

(8) A file stamped copy of this Consent Order will be returned to Respondent upon signature of the Administrator of the Department of Consumer Credit or the Deputy Administrator of the Department Consumer Credit.

(9) If Respondent fails to comply with the terms of this Consent Order, the Administrator of the Department of Consumer Credit is authorized to file an application to enforce this Consent Order in the District Court of Oklahoma County, Oklahoma in accordance with the provisions of 14 O.S. § 6-113(4).



[Redacted signature area]

Scott Leshar
Administrator
State of Oklahoma
Department of Consumer Credit

Dated: 11/09/17

[Redacted signature area]

C. Craig Cole, Esq.
C. Craig Cole & Associates
317 Northwest Twelfth Street
Oklahoma City, Oklahoma 73103
Attorney for Respondents

Dated: 11-29-17



Badger Valley Enterprises, L.L.C.,
d/b/a Seth Wadley Auto Group

Dated: 11-16-17

VERIFICATION OF CONSENT ORDER, CASE NUMBER 17-0322-DIS

STATE OF OKLAHOMA)
)
COUNTY OF CARVEN)

Signed and sworn to (or affirmed) before me on Nov 16,
2017, by THOMAS MATHEW of Badger Valley Enterprises,
L.L.C., d/b/a Seth Wadley Auto Group.



Badger Valley Enterprises, L.L.C.,
d/b/a Seth Wadley Auto Group



(Seal, if any)



Notary Public

My commission expires:

12-10-17